

REMARKS

This responds to the Office Action mailed on January 10, 2007.

Claims 13, 17, 26, 36, 41 and 48 are amended and claim 15 is canceled. Claims 1-12 and 20-25 were previously canceled. As a result, claims 13, 14, 16-19 and 26-48 are now pending in this application.

Applicant gratefully acknowledges the indication of provisional allowability of claim 15. The limitations of claim 15 have been added to the independent claims 13, 26, and 36.

Claim Objection

Claim 17 was objected to for lacking antecedent basis. The antecedent basis difficulty has been eliminated by amendment.

§102 Rejection of the Claims

Claims 13, 16-19, 26-33, 36, 38, 40-44, 47 and 48 were rejected under 35 USC § 102(b) as being anticipated by Bunyan et al. (WO 00/36893; PCT/US99/20750). This rejection is obviated by amendment of the independent claims that are addressed under Section 102 of the Statute.

§103 Rejection of the Claims

Claims 34, 35, 45 and 46 were rejected under 35 USC § 103(a) as being unpatentable over Bunyan et al. in view of Bunyan (U.S. 2003/0203188). This rejection is obviated by addition of the limitations of claim 15 have been added to the independent claims 13, 26, and 36.

Claim 14 was also rejected under 35 USC § 103(a) as being unpatentable over Bunyan et al. in view of Sachdev (U.S. 2002/0000239 A1). This rejection is obviated by addition of the limitations of claim 15 have been added to the independent claims 13, 26, and 36.

Claims 37 and 39 were also rejected under 35 USC § 103(a) as being unpatentable over Bunyan et al. This rejection is obviated by addition of the limitations of claim 15 have been added to the independent claims 13, 26, and 36.

Allowable Subject Matter

Claim 15 was objected to as being dependent upon a rejected base claim, but was indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((801) 278-9171) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Reservation of Rights


In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or

affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

Respectfully submitted,

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By /  /
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